

Subject: RE: Correspondence (Request for Discovery) - State v. Berard, No. 441-2024-CR-00353

From: Erin Creegan <ECreegan@courts.state.nh.us>

Date: 2/10/25, 10:34

To: Dana Albrecht <dana.albrecht@hushmail.com>

Mr. Albrecht,

As the court has explained to you, discovery is from the opposing party in the case: the prosecutors. The court also explained you needed to seek copies of warrants from the prosecution. I understand that you are not an attorney and some parts of this process are new information to you, but the court has already provided you direct information that you seem to be purposefully disregarding. Please contact the prosecutors for discovery, as you already know you should do. Nothing else from this letter is actionable, as you already know from subpoenaing the same materials previously.

Best,
Erin

-----Original Message-----

From: Dana Albrecht <dana.albrecht@hushmail.com>

Sent: Monday, February 10, 2025 10:19 AM

To: Erin Creegan <ECreegan@courts.state.nh.us>

Cc: Mary.A.Triick@doj.nh.gov; John Ventura <jventura@seabrookpd.com>; dcampbell@nhpd.org; Dana Albrecht <dana.albrecht@hushmail.com>

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Good morning Ms. Creegan,

Please see the attached PDF of correspondence to you requesting discovery materials.

Thank you for your time and attention.

Sincerely,

-Dana Albrecht

Mr. Dana Albrecht

131 Daniel Webster Hwy #235
Nashua, NH 03060

dana.albrecht@hushmail.com
+1 (603) 809-1097

February 10, 2025

/via email only/

Ms. Erin Creegan, Esq.
NHJB General Counsel
1 Granite Pl., Ste N400
Concord, NH 03301

Re: *State v. Destinie L. Berard*
No. 441-2024-CR-00353

Dear Ms. Creegan,

I am writing to formally request the production of documents from the New Hampshire Judicial Branch for use in Ms. Berard's defense in the above-referenced matter.

Specifically, I request:

1. A certified copy (attested by the Clerk) of any arrest warrant allegedly signed by Judge Susan Ashley on or about June 14, 2022, or any such warrant previously provided by the NHJB to New Hampshire law enforcement.
2. All training materials provided to NHJB judicial officers regarding civil protective orders and/or [RSA 173-B](#).
3. An unredacted copy of the August 26, 2022 deposition of Judge David King.

The Fifth Circuit Court of Appeals has observed that "family court judges often face immense pressure to grant civil protective orders – with little incentive to deny them. Some judges receive mandatory training [emphasis added] that warns of the unfavorable publicity that could result from denying such orders." See [United States v. Rahimi, 61 F.4th 443, 465 \(5th Cir. 2023\)](#) (cleaned up).

Accordingly, Ms. Berard requires access to the relevant training materials to ensure an effectual defense, as guaranteed by her federal due process rights under the Fourteenth Amendment and [42 U.S.C § 1983](#).

Furthermore, [Article 15](#) of the New Hampshire Constitution provides that:

Every subject shall have a right to produce all [emphasis added] proofs that may be favorable to himself; to meet the witnesses against him face to face, and to be fully heard in his defense, by himself, and counsel.

Additionally, [Article 8](#) of our state constitution mandates that “all magistrates and officers of government are... at all times accountable” to the people, and [Article 10](#) warns that when such accountability is absent, “the ends of government are perverted, and public liberty manifestly endangered.”

Accordingly, pursuant to the Fourteenth Amendment and [Articles 8, 10, and 15](#) of the New Hampshire Constitution, I respectfully request the production of these materials to provide Ms. Berard with an “effectual means of redress” in her defense. *Cf.* [N.H. Const. Pt. I, Art. 10](#).

Thank you for your time and attention to this matter. Please confirm receipt of this request at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana M. Albrecht", with a long horizontal flourish extending to the right.

Dana Albrecht

Cc: Ms. Deanna Campbell, Esq.
Mr. John Ventura, Esq.